

REMARKS

Claims 1 to 11 are all the claims pending in the application, prior to the present amendment.

Applicant has canceled claims 8 and 9 directed to the invention of the non-elected Group II.

The Examiner has attached to the Office Action a copy of the Form PTO-1449 filed with the Information Disclosure Statement of August 14, 2006. The Examiner has initialed and dated this Form to indicate that he has considered and made of record the documents listed on this Form.

On the other hand, in Paragraph 1, at page 2 the Office Action, the Examiner states that the IDS Form-1449 does not satisfy the requirements of the rules because copies of foreign patents and non-patent literature documents were not provided. The Examiner's initialing of the documents on the Form is inconsistent with this statement. Accordingly, it is not entirely clear to applicant whether the Examiner has considered and made of record the documents listed on the Form. Applicant requests the Examiner to clarify whether these documents have been considered and made of record.

Applicant is filing concurrently herewith an Information Disclosure Statement to submit copies of the three Non-patent Documents 1-3 mentioned in the specification. Applicant is also submitting copies of the documents listed on the Form-1449 filed with the Information Disclosure Statement of August 14, 2006.

Claims 1-7 and 10-11 have been rejected under the second paragraph of 35 U.S.C. § 112 as indefinite.

The Examiner sets forth two reasons for this rejection. Applicant discusses these reasons below.

(a) The Examiner states that the definitions of the symbols in formulas (1), (2), (3) of claim 1 and formula (4) of claim 7 (the Examiner incorrectly refers to claim 1) are provided in parentheses.

The Examiner states that disclosing necessary limitations in a pair of parentheses should be avoided because the limitations following a term in a pair of parentheses is considered optional. The Examiner states that since these limitations are necessary, the use of parentheses should be eliminated.

Although applicants disagree with this rejection because there is no rule that says the materials that appear in parentheses are considered to be optional, applicants have amended claim 1 to remove the parentheses.

(b) The Examiner states that the polymerization process of claim 11 is improperly dependent on product claim 8, which is directed to a polymer.

In response, applicant has amended claim 11 to place it in independent form.

In view of the above, applicant submits that the claims comply with the requirements of the second paragraph of 35 U.S.C. § 112 and, accordingly, requests withdrawal of this rejection.

The Examiner indicates that claims 1-7, 10 and 11 would be allowable if rewritten or amended to overcome the rejections under the second paragraph of 35 U.S.C. § 112. As discussed above, applicant has amended the claims and submits that the claims comply with the requirements of the second paragraph of 35 U.S.C. § 112.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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